

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION**

Jovan McRant,

Petitioner,

v.

Warden MacDougall Correctional  
Institution,

Respondent.

Civil Action No. 6:14-cv-03179-JMC

**ORDER**

This matter is before the court for a review of the Magistrate Judge's Report and Recommendation ("Report"), (ECF No. 29), filed on May 22, 2015, recommending that Respondent's Motion for Summary Judgment be granted (ECF No. 20). The Report sets forth the relevant facts and legal standards which this court incorporates herein without a recitation.

The Magistrate Judge's Report is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objections are made, and the court may accept, reject, or modify, in whole or in part, the Magistrate Judge's recommendation or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

The court observes that Petitioner has filed a twenty-two page document that is characterized as an "Objection" to the Report on the docket and includes the phrase "objections to R and R" in various parts of the document. (*See* ECF No. 31.) However, a review of Petitioner's "Objection" reveals that it does not include any specific objections to the Report, but

appears to be a general recitation of issues previously raised. (*See* ECF Nos. 21-6 at 1-14, 24, 31.)

In the absence of objections to the Report, this court is not required to provide an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983); *Brunson v. U.S. Dep't of Justice of Fed. Bureau of Investigation*, C/A No. 3:11-cv-2659-JFA, 2011 WL 6122747, at \*1 (D.S.C. Dec. 9, 2011) (finding that plaintiff had not raised specific objections when he failed to address any of the reasons that the Magistrate Judge gave for recommending that his case be summarily dismissed). Rather, “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Furthermore, failure to file specific written objections to the Report results in a party’s waiver of the right to appeal from the judgment of the district court based upon such recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).

After a thorough and careful review of the record, the court finds that the Magistrate Judge’s Report provides an accurate summary of the facts and law in the instant case. The court **ADOPTS** the Magistrate Judge’s Report (ECF No. 29). For the reasons set out in the Report, Respondent’s Motion for Summary Judgment is **GRANTED**. (ECF No. 20.)

**IT IS SO ORDERED.**



United States District Judge

August 27, 2015  
Greenville, South Carolina